

EXHIBIT A

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK

R.F.M., T.D., S.W., and D.A.F.A., on behalf of
themselves and all others similarly situated,

Plaintiffs,

v .

KIRSTJEN NIELSEN, in her capacity as Secretary of
the Department of Homeland Security, et al.,

Defendants.

18 Civ. 5068

**[PROPOSED]
PROTECTIVE ORDER
REGARDING PLAINTIFFS'
IDENTIFYING
INFORMATION**

JOHN G. KOELTL, District Judge:

WHEREAS, plaintiffs R.F.M., T.D., S.W., and D.A.F.A. (together “Plaintiffs”), and defendants Kirstjen Nielsen, Lee Francis Cissna, Barbara Velarde, Robert M. Cowan, Thomas Cioppa, Edward Newman, Daniel Renaud, Gwynne Dinolfo, Gina Pastore, Carmen Whaling, Elizabeth Miller, William Bierman, and Brian Meier (together “Defendants”), request that this Court issue a protective order pursuant to Federal Rule of Civil Procedure 26(c) to protect as confidential the names and Alien Registration Numbers of the Plaintiffs (the “Identifying Information”) in connection with this action; and

WHEREAS, Plaintiffs have moved the Court for leave to proceed under their initials to protect Plaintiffs’ highly sensitive and personal information, including their immigration status, and to avoid the risk of retaliation, including from local police and federal immigration authorities (Doc. No. 5);

WHEREAS, Defendants’ counsel request the Identifying Information of the Plaintiffs in order to respond to the Complaint (Doc. No. 1), Motion for Leave to Proceed Anonymously

(Doc. No. 5), Motion for Preliminary Injunction (Doc. No. 7), and Motion for Class Certification (Doc. No. 9); and

WHEREAS, this Court finds that good cause exists for issuance of an appropriately tailored confidentiality order governing this action (the “Protective Order”);

IT IS HEREBY ORDERED that the Plaintiffs and Defendants, including their respective officers, agents, servants, employees, and attorneys, any other person in active concert with Defendants, and all other persons with actual notice of this Protective Order will adhere to the following terms:

1. Defendants’ counsel may not use Plaintiffs’ Identifying Information for the purposes of removal or any form of retaliation for being plaintiffs in this litigation.

2. Pending a resolution of Plaintiffs’ motion to proceed anonymously, (Doc. No. 5), Defendants’ counsel may disclose the Identifying Information only to the following persons:

- a. Defendants, to the extent necessary to the defense of this action;
 - b. Counsel of record for Defendants in this action;
 - c. Consultants and professional staff assisting counsel of record for Defendants and who are necessary to the defense of this action; and
 - d. Any other person only upon order of the Court or upon stipulation of Plaintiffs’ and Defendants’ counsel.

3. To the extent not superseded by a decision on Plaintiffs’ motion for leave to proceed anonymously, (Doc. No. 5), this Order will survive the termination of this action and will continue to be binding upon Defendants and their counsel.

4. This Court will retain jurisdiction over all persons subject to this Order to the extent necessary to enforce any obligations arising hereunder or to impose sanctions for any contempt thereof.

SO ORDERED.

Dated: New York, New York
July __, 2018

John G. Koeltl
United States District Judge